IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. RYAN KEITH MATHISON, ROBERT MATHISON, SR., and RONALD MATHISON, Defendants.	No. CR 06-4030-MWB **PRELIMINARY AND FINAL INSTRUCTIONS TO THE JURY**

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PRELIMINARY INSTRUCTION NO. 1 - INTRODUCTION

Members of the jury, I am giving you these Preliminary Instructions to help you better understand the trial and your role in it and to instruct you on the law that you must apply in this case. Consider these instructions, together with all written and oral instructions given to you during or at the end of the trial, and apply them as a whole to the facts of the case. In considering these instructions, the order in which they are given is not important.

As explained during jury selection, in an Indictment, a Grand Jury charges the defendants in this case with the following offenses: **Count 1** charges defendant Ryan Keith Mathison with a "continuing criminal enterprise (CCE)" offense; **Count 2** charges defendants Ryan Keith Mathison, and Robert Mathison, Sr., with a "drug-trafficking conspiracy" offense; **Count 3** charges defendants Ryan Keith Mathison, Robert Mathison, Sr., and Ronald Mathison with a "money-laundering conspiracy" offense; and **Counts 4** through **7** charge defendant Ryan Keith Mathison with separate offenses of "filing a false tax return."

As I also explained during jury selection, an "indictment" is simply an accusation. It is not evidence of anything. Each defendant is presumed to be innocent of each offense charged against him, unless and until the prosecution proves that defendant's guilt on that offense beyond a reasonable doubt. The defendants have pled not guilty to the crimes charged against them.

Your duty is to decide from the evidence whether each defendant is not guilty or guilty of the charge or charges against him. You will find the facts from the

evidence. You are entitled to consider that evidence in light of your own observations and experiences. You may use reason and common sense to draw conclusions from facts that have been established by the evidence. You will then apply the law, which I will give you in my instructions, to the facts to reach your verdict. You are the sole judges of the facts, but you must follow the law as stated in my instructions, whether you agree with it or not.

Do not allow sympathy or prejudice to influence you. The law demands of you a just verdict, based solely on the evidence, your common sense, and the law as I give it to you. Do not take anything I may say or do during the trial as indicating what I think of the evidence or what I think your verdict should be. Similarly, do not conclude from any ruling or other comment I may make that I have any opinions on how you should decide the case.

Please remember that only defendants Ryan Keith Mathison, Robert Mathison, Sr., and Ronald Mathison, not anyone else, are on trial here. Also, remember that each defendant is on trial *only* for the offense or offenses charged against that defendant in the Indictment, not for anything else.

Each defendant is entitled to be considered separately and to have each charge against him considered separately based solely on the evidence that applies to that defendant and that charge. *Therefore, you must return a separate, unanimous verdict on each offense charged against each defendant.*

PRELIMINARY INSTRUCTION NO. 2 - PRELIMINARY MATTERS

Before I turn to specific Preliminary Instructions on the offenses charged in this case, I must explain some preliminary matters.

"Elements"

The offenses charged in this case each consist of "elements," which the prosecution must prove beyond a reasonable doubt against the defendant in question in order to convict that defendant of that offense. I will summarize in the following Preliminary Instructions the elements of the offenses with which the defendants are charged.

Timing

The Indictment alleges that the offenses charged were committed "between about" two dates or "on or about" a certain date. The prosecution does not have to prove with certainty the exact date of an offense charged. It is sufficient if the evidence establishes that an offense occurred within a reasonable time of the date or time period alleged for that offense in the Indictment.

Controlled substances

In these instructions, when I refer to a "controlled substance," I mean any drug or narcotic the manufacture, possession, possession with intent to distribute, or distribution of which is prohibited or regulated by federal law. Marijuana, cocaine, methamphetamine, and anabolic steroids, where were allegedly involved in some of the offenses charged in this case, are all "controlled substances."

"Knowledge," "Intent," and "Willfulness"

The elements of the charged offenses may require proof of what a defendant "intended" or "knew" or proof that a defendant acted "willfully." Where whether a defendant acted "knowingly," "intentionally," or "willfully" is an element of an offense, the defendant's "knowledge," "intent," or "willfulness" must be proved beyond a reasonable doubt. "Knowledge," "intent," and "willfulness" are mental states. It is seldom, if ever, possible to determine directly the operations of the human mind. However, mental states may be proved like anything else, from reasonable inferences and deductions drawn from the facts proved by the evidence. Therefore, you may consider any statements made or acts done by the defendant in question and all of the facts and circumstances in evidence to aid you in the determination of that defendant's "knowledge," "intent," or "willfulness."

An act was done "knowingly" if the defendant in question was aware of the act and did not act through ignorance, mistake, or accident. The prosecution is not required to prove that the defendant in question knew that his acts or omissions were unlawful. An act was done "intentionally" if it was done voluntarily, without coercion, and not because of ignorance, mistake, accident, or inadvertence. An act was done "willfully" if it was done voluntarily and intentionally with the purpose of violating a known legal duty.

"Possession," "Distribution," and "Delivery"

Some of the drug-trafficking offenses charged in the Indictment allegedly involved "possession," "possession with intent to distribute," or "distribution" of one or more controlled substances. "Distribution," in turn, involves "delivery."

The following definition of "possession," "distribution," and "delivery" apply in these instructions:

The law recognizes several kinds of "possession." A person who knowingly has direct physical control over an item, at a given time, is then in "actual possession" of it. A person who, although not in actual possession, has both the power and the intention at a given time to exercise control over an item, either directly or through another person or persons, is then in "constructive possession" of it. If one person alone has actual or constructive possession of an item, possession is "sole." If two or more persons share actual or constructive possession of an item, possession is "joint." Whenever the word "possession" is used in these instructions, it includes "actual" as well as "constructive" possession and also "sole" as well as "joint" possession.

In addition, mere presence where an item was found or mere physical proximity to the item is insufficient to establish "possession" of that item. Knowledge of the presence of the item, at the same time one has control over the item or the place in which it was found, is required. Thus, in order to establish a person's "possession" of an item, the prosecution must establish that, at the same time, (a) the person knew of the presence of the item; (b) the person intended to exercise control over the item or place in which it was found; (c) the person had the power to exercise control over the item or place in which it was found; and (d) the person knew that he had the power to exercise control over the item or place in which it was found.

The term "distribute" means to deliver a controlled substance to the actual or constructive possession of another person. The term "deliver" means the actual, constructive, or attempted transfer of a controlled substance to the actual or constructive possession of another person. It is not necessary that money or anything of value change hands. The law prohibits "distribution," an agreement to "distribute," and "possession with intent to distribute" a controlled substance; the prosecution does not have to prove that there was or was intended to be a "sale" of a controlled substance to prove distribution, a conspiracy to distribute, or possession with intent to distribute that controlled substance.

* * *

I will now give you more specific Preliminary Instructions about the offenses charged in the Indictment. However, please remember that these Preliminary Instructions on the charged offenses provide only a preliminary outline of the requirements for proof of these offenses. At the end of the trial, I will give you further written Final Instructions on these matters. Because the Final Instructions are more detailed, you should rely on those Final Instructions, rather than these Preliminary Instructions, where there is a difference.

PRELIMINARY INSTRUCTION NO. 3 - COUNT 1: THE CCE OFFENSE

Count 1 of the Indictment charges that, between about 2001 and March 2006, defendant Ryan Keith Mathison knowingly, intentionally, and unlawfully engaged in a "continuing criminal enterprise" or "CCE." Ryan Keith Mathison denies that he committed this "CCE offense."

For you to find defendant Ryan Keith Mathison guilty of this "CCE offense," the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, Ryan Keith Mathison committed a felony violation of the federal controlled substances laws, that is, one of the following: (a) distributing marijuana, cocaine, methamphetamine, and anabolic steroids; (b) possessing with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids; (c) conspiring to distribute and to possess, with intent to distribute, marijuana, cocaine, methamphetamine, and anabolic steroids; (d) using a communications facility to facilitate the commission of felony drug-trafficking offenses; or (e) using a structure for the purpose of distributing controlled substances;

Two, that offense was part of a continuing series of three or more related felony violations of the federal controlled substances laws;

Three, Ryan Keith Mathison undertook the series of related violations in concert with five or more other persons;

Four, Ryan Keith Mathison acted as organizer, supervisor, or manager of those five or more other persons; and

Five, Ryan Keith Mathison obtained substantial income, money, or other property from the series of violations.

If the prosecution does not prove beyond a reasonable doubt *all* of the essential elements of this offense, then you must find Ryan Keith Mathison not guilty of the "CCE offense" charged in **Count 1** of the Indictment. On the other hand, if the prosecution does prove beyond a reasonable doubt *all* of the essential elements of this offense, then you must find Ryan Keith Mathison guilty of the "CCE offense" charged in **Count 1**.

In addition, if you find Ryan Keith Mathison guilty of this "CCE offense," then you must also determine beyond a reasonable doubt the quantity of any controlled substances actually involved in the CCE for which he can be held responsible, as determination of drug quantity is explained briefly in Preliminary Instruction No. 2.

PRELIMINARY INSTRUCTION NO. 4 - COUNT 1: THE CCE OFFENSE: RELATED FELONY VIOLATIONS

To prove that a CCE existed, the prosecution must prove, among other things identified in Preliminary Jury Instruction No. 3, that a series of three or more related felony violations of the federal controlled substances laws was actually committed. To help you determine whether any such violation was actually committed, you must consider the elements of that violation. I will explain briefly in this instruction the elements of each felony offense alleged to be part of the series of related felony violations.

Distributing a controlled substance

To prove that a person distributed a controlled substance, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, on or about the date alleged, the person intentionally distributed a controlled substance to another; and

Two, at the time of the distribution, the person knew that what he was distributing was a controlled substance.

Possessing with intent to distribute a controlled substance

To prove that a person possessed with intent to distribute a controlled substance, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, on or about the date alleged, the person was in possession of a controlled substance;

Two, the person knew that he was, or intended to be, in possession of a controlled substance; and

Three, the person intended to distribute some or all of the controlled substance to another person.

Conspiring to distribute and to possess with intent to distribute a controlled substance

To prove that a person conspired to distribute or to possession with intent to distribute a controlled substance, the prosecution would have to prove beyond a reasonable doubt the elements set out in Preliminary Jury Instruction No. 5, beginning on page 12.

Using a communications facility to facilitate drug-trafficking offenses

To prove that a person used a communications facility to facilitate the commission of a drug-trafficking offense, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, the person knowingly used a "communications facility," such as the mail, telephone, wire, radio, or other means of communication; and

Two, the person did so with the intent to commit or to facilitate, assist, aid, or to make easier or less difficult the commission of a drug-trafficking offense.

Using a structure for the purpose of distributing controlled substances

To prove that a person used a structure for the purpose of distributing controlled substances, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, the person knowingly used any place or structure, whether permanently or temporarily; and

Two, the person did so for the purpose of distributing any controlled substance.

PRELIMINARY INSTRUCTION NO. 5 - COUNT 2: THE DRUG-TRAFFICKING CONSPIRACY

Count 2 of the Indictment charges that, between about 2001 and March 2006, defendants Ryan Keith Mathison and Robert Mathison, Sr., knowingly and unlawfully conspired, with each other and with others whose identities are both known and unknown to the Grand Jury, to commit the following offenses: (1) distributing one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids; and (2) possessing with intent to distribute one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids. Each of the defendants charged with this "drug-trafficking conspiracy" offense denies that he committed this offense.

For you to find a particular defendant guilty of this "drug-trafficking conspiracy" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements as to that defendant:

One, between about 2001 and March 2006, two or more persons reached an agreement or came to an understanding to distribute and/or to possess with intent to distribute one or more of the following controlled substances: marijuana, cocaine, methamphetamine, and anabolic steroids;

Two, the defendant in question voluntarily and intentionally joined in the agreement or understanding, either at the time it was first reached or at some later time while it was still in effect; and

Three, at the time that the defendant in question joined in the agreement or understanding, the defendant knew the purpose of the agreement or understanding.

If the prosecution does not prove beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant not guilty of the "drug-trafficking conspiracy" offense charged in **Count 2** of the Indictment. On the other hand, if the prosecution does prove beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant guilty of the "drug-trafficking conspiracy" charged in **Count 2**.

In addition, if you find a particular defendant guilty of this "drug-trafficking conspiracy" offense, then you must also determine beyond a reasonable doubt the quantity of any controlled substances actually involved in the conspiracy for which that defendant can be held responsible, as determination of drug quantity is explained briefly in Preliminary Instruction No. 2.

PRELIMINARY INSTRUCTION NO. 6 - COUNT 2: "OBJECTIVES" OF THE DRUG-TRAFFICKING CONSPIRACY

The "drug-trafficking conspiracy" charge alleges that the conspirators agreed to commit the following offenses, or "objectives": (1) distributing one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids; and (2) possessing with intent to distribute one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids. To assist you in determining whether there was an agreement to commit either or both of these offenses, you should consider the elements of these "objectives." The elements of these "objectives" are set out for you in Preliminary Jury Instruction No. 4, as the first two alleged violations for the CCE.

INSTRUCTION NO. 7 - QUANTITY OF CONTROLLED SUBSTANCES

The offenses charged in **Counts 1** and **2** of the Indictment allegedly involved various controlled substances: marijuana, cocaine, methamphetamine, and anabolic steroids. Where a specific quantity of a controlled substance is charged, the prosecution does not have to prove that the offense involved the amount or quantity of that controlled substance that is alleged in the Indictment. However, *if* you find a particular defendant guilty of an offense charged in **Count 1** or **Count 2**, *then* you must determine the following matters *beyond a reasonable doubt*: (1) whether that offense actually involved one or more of the controlled substances alleged; and (2) if the offense involved marijuana, cocaine, or methamphetamine, the *total quantity*, in grams, or in the case of marijuana, in kilograms, of that controlled substance involved in that offense for which the defendant in question can be held responsible. You must determine whether an offense charged in **Count 1** or **Count 2** involved anabolic steroids, but you need only determine whether the offense involved a detectable amount of anabolic steroids, rather than a specific quantity of anabolic steroids. In making the required determinations, you may consider all of the evidence in the case that may aid in the determination of these issues. You may find more or less than the charged quantity of any controlled substance, but you must find that the quantity you indicate in the Verdict Form has been proved beyond a reasonable doubt as the quantity for which the defendant can be held responsible on that offense.

In making your determination of quantity as required, it may be helpful to remember that one kilogram is approximately equal to 2.2 pounds, that one pound is approximately equal to 453.6 grams, and that one ounce is approximately equal to 28.34 grams.

PRELIMINARY INSTRUCTION NO. 8 - COUNT 3: THE MONEY-LAUNDERING CONSPIRACY

Count 3 of the Indictment charges that, between about 2001 and May 2006, defendants Ryan Keith Mathison, Robert Mathison, Sr., and Ronald Mathison knowingly and unlawfully conspired, with each other and with others whose identities are known to the Grand Jury, to commit either or both of the following money-laundering offenses: (a) conducting and attempting to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were to promote the carrying on of drug-trafficking activity; and (b) conducting and attempting to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of drug-trafficking activity. Each of the defendants charged with this "money-laundering conspiracy" offense denies that he committed this offense.

For you to find a particular defendant guilty of this "money-laundering conspiracy" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, between about 2001 and May 2006, two or more persons reached an agreement or came to an understanding to commit either or both of the money-laundering offenses alleged to be objectives of the conspiracy;

Two, the defendant in question voluntarily and intentionally joined in the agreement or understanding, either at the time it was first reached or at some later time while it was still in effect; and

Three, at the time that the defendant in question joined in the agreement or understanding, he knew the essential purpose of the agreement or understanding.

If the prosecution does not prove beyond a reasonable doubt *all* of the essential elements of this offense as to a particular defendant, then you must find that defendant not guilty of the "money-laundering conspiracy" offense charged in **Count 3** of the Indictment. On the other hand, if the prosecution does prove beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant guilty of the "money-laundering conspiracy" charged in **Count 3**.

PRELIMINARY INSTRUCTION NO. 9 - COUNT 3: "OBJECTIVES" OF THE MONEY-LAUNDERING CONSPIRACY

The "money-laundering conspiracy" charge alleges that the conspirators agreed to commit either or both of the following money-laundering offenses, or "objectives": (a) conducting and attempting to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were to promote the carrying on of drug-trafficking activity; and (b) conducting and attempting to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of drug-trafficking activity. To assist you in determining whether there was an agreement to commit these "money-laundering" offenses, you should consider the elements of these "objectives."

Conducting transactions to promote drug-trafficking

To prove that a person committed the money-laundering offense of conducting transactions to promote drug-trafficking, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, on or about the date alleged, the person conducted or attempted to conduct a financial transaction, which in any way or degree affected interstate or foreign commerce;

Two, the person conducted or attempted to conduct the financial transaction with United States currency that involved the proceeds of the illegal distribution of controlled substances or a conspiracy to distribute controlled substances;

Three, at the time the person conducted or attempted to conduct the financial transaction, the person knew that the United States currency represented the proceeds of some form of unlawful activity; and

Four, the person conducted or attempted to conduct the financial transaction with the intent to promote the carrying on of the illegal distribution of controlled substances or a conspiracy to distribute controlled substances.

Conducting transactions to conceal proceeds of drug-trafficking

To prove that a person committed a "money-laundering" offense, the prosecution would have to prove beyond a reasonable doubt the following elements:

One, on or about the date alleged, the person conducted or attempted to conduct a financial transaction, which in any way or degree affected interstate commerce;

Two, the person conducted or attempted to conduct the financial transaction with United States currency that involved the proceeds of the illegal distribution of controlled substances or a conspiracy to distribute controlled substances;

Three, at the time the person conducted or attempted to conduct the financial transaction, the person knew that the United States currency represented the proceeds of some form of unlawful activity; and

Four, the person conducted or attempted to conduct the financial transaction knowing that the transaction was designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of the illegal distribution of controlled substances or a conspiracy to distribute controlled substances.

Attempting to conduct transactions

A person "attempted to conduct" a financial transaction, if the person intended to conduct a financial transaction and voluntarily and intentionally carried out some act that was a substantial step toward completion of the transaction. A "substantial step" must be more than mere preparation, yet may be less than the last step necessary before the actual completion of the transaction. It must, however, be necessary to the consummation or completion of the transaction and be of such a nature that a reasonable observer, viewing it in context, could conclude beyond a reasonable doubt that it was undertaken in accordance with a design to conduct a financial transaction.

PRELIMINARY INSTRUCTION NO. 10 - ACTS AND STATEMENTS OF CCE PARTICIPANTS OR CO-CONSPIRATORS

If you find beyond a reasonable doubt that the CCE charged in **Count 1** or the conspiracy charged in either **Count 2** or **Count 3** existed, and that a particular defendant was a participant in that CCE or a member of that conspiracy, then you may consider acts knowingly done and statements knowingly made by other participants in the CCE or other co-conspirators during the existence of the CCE or conspiracy and in furtherance of the CCE or conspiracy as evidence pertaining to that defendant, even though those acts were done or those statements were made in that defendant's absence and without his knowledge. This includes acts done or statements made before that defendant joined the CCE or conspiracy. On the other hand, an act or statement by someone other than the defendant in question that was not made during and in furtherance of the CCE or the conspiracy in question cannot be attributed to the defendant in question in this way.

PRELIMINARY INSTRUCTION NO. 11 - COUNTS 4 THROUGH 7: FILING FALSE TAX RETURNS

Counts 4 through **7** of the Indictment each charge that, for a specified tax year, defendant Ryan Keith Mathison willfully made and subscribed a false U.S. Individual Income Tax Return. **Count 4** charges that he filed such a false tax return on or about February 5, 2001, for calendar year 2000. **Count 5** charges that he filed such a false tax return on or about March 6, 2002, for calendar year 2001. **Count 6** charges that he filed such a false tax return on or about April 15, 2003, for calendar year 2002. **Count 7** charges that he filed such a false tax return on or about April 12, 2004, for calendar year 2003. Ryan Keith Mathison denies each of these charges.

For you to find defendant Ryan Keith Mathison guilty of a particular "false tax return" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, Ryan Keith Mathison made and signed a U.S. Individual Tax return for the year in question;

Two, the return contained a written declaration that it was signed under penalties of perjury;

Three, the return was false as to a material matter, that is, the return failed to disclose that Ryan Keith Mathison was engaged in the illegal trafficking in controlled substances from which he derived gross receipts, gross income, or sales;

Four, Ryan Keith Mathison did not believe that the return was true and correct, in that he then and there well knew and believed that he was required by law and regulation to disclose the operation of this business activity and the gross receipts, gross income, or sales he derived therefrom; and

Five, Ryan Keith Mathison acted willfully in filing the false return.

If the prosecution does not prove beyond a reasonable doubt *all* of the essential elements of a particular Count of "filing a false tax return," then you must find defendant Ryan Keith Mathison not guilty of that offense. On the other hand, if the prosecution does prove beyond a reasonable doubt *all* of the essential elements of a particular Count of "filing a false tax return," then you must find defendant Ryan Keith Mathison guilty of that Count.

PRELIMINARY INSTRUCTION NO. 12 - PRESUMPTION OF INNOCENCE AND BURDEN OF PROOF

Each defendant is presumed innocent of each of the charges against him and, therefore, not guilty of those offenses. This presumption of innocence requires you to put aside all suspicion that might arise from the arrest or charge of the defendants or the fact that they are here in court. The presumption of innocence remains with each defendant throughout the trial. That presumption alone is sufficient to find a defendant not guilty. The presumption of innocence may be overcome as to a particular charge against a particular defendant only if the prosecution proves, beyond a reasonable doubt, *all* of the elements of that offense against that defendant.

The burden is always upon the prosecution to prove guilt beyond a reasonable doubt. This burden never shifts to a defendant to prove his innocence. Therefore, the law never imposes upon a defendant in a criminal case the burden or duty of calling any witnesses or producing any evidence. A defendant is not even obligated to produce any evidence by cross-examining the witnesses who are called to testify by the prosecution. Similarly, if a defendant does not testify, you must not consider that fact in any way, or even discuss it, in arriving at your verdict concerning that defendant.

Unless the prosecution proves beyond a reasonable doubt that a defendant has committed each and every element of an offense charged against him, you must find him not guilty of that offense.

PRELIMINARY INSTRUCTION NO. 13 - REASONABLE DOUBT

I have previously instructed you that the prosecution must prove a charged offense "beyond a reasonable doubt" for you to find the defendant in question guilty of that charged offense. A reasonable doubt may arise from the evidence produced by either the prosecution or a defendant, keeping in mind that the defendants never have the burden or duty of calling any witnesses or producing any evidence. It may also arise from the prosecution's lack of evidence. A reasonable doubt is a doubt based upon reason and common sense. A reasonable doubt is the kind of doubt that would make a reasonable person hesitate to act. Proof beyond a reasonable doubt, therefore, must be proof of such a convincing character that a reasonable person would not hesitate to rely and act upon it in the more serious and important transactions of life. However, proof beyond a reasonable doubt does not mean proof beyond all possible doubt.

PRELIMINARY INSTRUCTION NO. 14 - OUTLINE OF TRIAL

The trial will proceed as follows:

After these preliminary instructions, the prosecutor may make an opening statement. Next, the lawyer for each defendant may, but does not have to, make an opening statement. An opening statement is not evidence. It is simply a summary of what the lawyer expects the evidence to be.

The prosecution will then present its evidence and call witnesses, and the lawyer for each defendant may, but has no obligation to, cross-examine. Following the prosecution's case, each defendant may, but does not have to, present evidence and call witnesses. If a defendant calls witnesses, the prosecutor may cross-examine those witnesses.

After the evidence is concluded, I will give you most of the Final Instructions. The lawyers will then make their closing arguments to summarize and interpret the evidence for you. As with opening statements, closing arguments are not evidence. I will then give you the remaining Final Instructions on deliberations, and you will retire to deliberate on your verdict.

PRELIMINARY INSTRUCTION NO. 15 - DEFINITION OF EVIDENCE

Your verdict must be based only on the evidence presented in this case and these and any other Instructions that I may give you during the trial. Evidence is:

1. Testimony.

2. Exhibits that I admit into evidence.

3. Stipulations, which are agreements between the parties.

Evidence may be "direct" or "circumstantial." The law makes no distinction between the weight to be given to direct and circumstantial evidence. The weight to be given any evidence is for you to decide.

A particular item of evidence is sometimes admitted only for a limited purpose, and not for any other purpose. I will tell you if that happens, and instruct you on the purposes for which the item can and cannot be used.

The fact that an exhibit may be shown to you does not mean that you must rely on it more than you rely on other evidence.

The following are not evidence:

1. Statements, arguments, questions, and comments by the lawyers.

2. Objections and rulings on objections.

3. Testimony I tell you to disregard.

4. Anything you saw or heard about this case outside the courtroom.

The weight of the evidence is not determined merely by the number of witnesses testifying as to the existence or non-existence of any fact. Also, the weight of the evidence is not determined merely by the number or volume of

documents or exhibits. The weight of the evidence depends upon its quality, which means how convincing it is, and not merely upon its quantity. For example, you may choose to believe the testimony of one witness, if you find that witness to be convincing, even if a number of other witnesses contradict his or her testimony. The quality and weight of the evidence are for you to decide.

PRELIMINARY INSTRUCTION NO. 16 - RECORDED CONVERSATIONS

As part of the evidence in this case, you may hear one or more recordings. The conversations on such recordings were legally recorded, and you may consider the recordings just like any other evidence. The recordings may be accompanied by a typed transcript. You are permitted to view a transcript for the purposes of helping you to follow the conversation as you hear a recording and helping you to keep track of the speakers.

A transcript, if present, may undertake to identify the speakers engaged in the conversation. However, the identity of the speakers as set out in a transcript is not evidence; rather, it is merely the opinion of the person who transcribed the recording. Whether or not a transcript correctly or incorrectly identifies the speakers is entirely for you to decide based upon what you hear about the preparation of the transcript in relation to what you hear on the recording.

Also, a recording itself is the primary evidence of its own contents. Whether a transcript correctly or incorrectly reflects a conversation is entirely for you to decide based on what you hear about the preparation of that transcript in relation to what you hear on the recording. If you decide that a transcript of a conversation is in any respect incorrect or unreliable, then you should disregard it to that extent. Differences in meaning between what you hear in a recording of a conversation and read in a transcript, if available, may be caused by such things as the inflection in

a speaker's voice. You should, therefore, rely on what you hear, rather than what you read, when there is a difference.

Similarly, if you find that any portion of a recording is inaudible or partially inaudible, because of such things as actual gaps in the recording or other noise on the recording, or if you hear something different from what is indicated in the transcript in a portion of the recording that is inaudible or partially inaudible, then you must disregard the transcript to the extent that the transcript attempts to indicate what the persons on the recording said during the inaudible or partially audible portions. You may also consider whether inaudible or partially audible portions of the recording indicate that the recording has been altered or damaged, such that it is unreliable, in whole or in part. Again, the recording itself, not any transcript, is the primary evidence of the contents of the recording.

PRELIMINARY INSTRUCTION NO. 17 - CREDIBILITY OF WITNESSES

In deciding what the facts are, you may have to decide what testimony you believe and what testimony you do not believe. You may believe all of what a witness says, only part of it, or none of it.

In deciding what testimony to believe, consider the witness's intelligence, the opportunity the witness had to have seen or heard the things testified about, the witness's memory, any motives that witness may have for testifying a certain way, the manner of the witness while testifying, whether that witness said something different at an earlier time, the witness's drug or alcohol use or addiction, if any, the general reasonableness of the testimony, and the extent to which the testimony is consistent with any evidence that you believe. In deciding whether or not to believe a witness, keep in mind that people sometimes see or hear things differently and sometimes forget things. You need to consider, therefore, whether a contradiction results from an innocent misrecollection or sincere lapse of memory, or instead from an intentional falsehood or pretended lapse of memory.

If a defendant testifies, you should judge his testimony in the same manner in which you judge the testimony of any other witness.

Ordinarily, witnesses may only testify to factual matters within their personal knowledge. However, you may hear evidence from persons described as experts. Persons may become qualified as experts in some field by knowledge, skill, training, education, or experience. Such experts may state their opinions on matters

in that field and may also state the reasons for their opinions. You should consider expert testimony just like any other testimony. You may believe all of what an expert says, only part of it, or none of it, considering the expert's qualifications, the soundness of the reasons given for the opinion, the acceptability of the methods used, any reason the expert may be biased, and all of the other evidence in the case.

Just because a witness works in law enforcement or is employed by the government does not mean you should give more weight or credence to such a witness's testimony than you give to any other witness's testimony.

PRELIMINARY INSTRUCTION NO. 18 - BENCH CONFERENCES AND RECESSES

During the trial it may be necessary for me to talk with the lawyers out of your hearing, either by having a bench conference here while you are present in the courtroom, or by calling a recess. Please be patient, because while you are waiting, we are working. The purpose of these conferences is to decide how certain evidence is to be treated under the rules of evidence, to avoid confusion and error, and to save your valuable time. We will, of course, do what we can to keep the number and length of these conferences to a minimum.

PRELIMINARY INSTRUCTION NO. 19 - OBJECTIONS

The lawyers may make objections and motions during the trial that I must rule upon. If I sustain an objection to a question before it is answered, do not draw any inferences or conclusions from the question itself. Also, the lawyers have a duty to object to testimony or other evidence that they believe is not properly admissible. Do not hold it against a lawyer or the party the lawyer represents because the lawyer has made objections.

PRELIMINARY INSTRUCTION NO. 20 - NOTE-TAKING

If you want to take notes during the trial, you may, but be sure that your note-taking does not interfere with listening to and considering all the evidence. If you choose not to take notes, remember it is your own individual responsibility to listen carefully to the evidence.

Notes you take during the trial are not necessarily more reliable than your memory or another juror's memory. Therefore, you should not be overly influenced by the notes.

If you take notes, do not discuss them with anyone before you begin your deliberations. At the end of each day, please leave your notes on your chair. At the end of the trial, you may take your notes out of the notebook and keep them, or leave them, and we will destroy them. No one will read the notes, either during or after the trial.

You will notice that we have an official court reporter making a record of the trial. However, we will not have typewritten transcripts of this record available for your use in reaching your verdict.

PRELIMINARY INSTRUCTION NO. 21 - CONDUCT OF THE JURY DURING TRIAL

To insure fairness, you as jurors must obey the following rules:

First, do not talk among yourselves about this case, or about anyone involved with it, until the end of the case when you go to the jury room to decide on your verdict.

Second, do not talk with anyone else about this case, or about anyone involved with it, until the trial has ended and you have been discharged as jurors.

Third, when you are outside the courtroom do not let anyone tell you anything about the case, or about anyone involved with it until the trial has ended and your verdict has been accepted by me. If someone should try to talk to you about the case during the trial, please report it to me.

Fourth, during the trial you should not talk with or speak to any of the parties, lawyers, or witnesses involved in this case—you should not even pass the time of day with any of them. It is important that you not only do justice in this case, but that you also give the appearance of doing justice. If a person from one side of the case sees you talking to a person from the other side—even if it is simply to pass the time of day—an unwarranted and unnecessary suspicion about your fairness might be aroused. If any lawyer, party, or witness does not speak to you when you pass in the hall, ride the elevator or the like, it is because they are not supposed to talk or visit with you.

Fifth, do not read any news stories or articles about the case, or about anyone involved with it, or listen to any radio or television reports about the case or about anyone involved with it. If you want, you can have your spouse or a friend clip out any stories and set them aside to give you after the trial is over. I can assure you, however, that by the time you have heard the evidence in this case you will know more about the matter than anyone will learn through the news media.

Sixth, do not do any research—on the Internet, in libraries, in the newspapers, or in any other way—or make any investigation *about this case* on your own. You must decide this case based on the evidence presented in court.

Seventh, do not make up your mind during the trial about what the verdict should be. Keep an open mind until after you have gone to the jury room to decide the case and you and your fellow jurors have discussed the evidence.

Eighth, if at anytime during the trial you have a problem that you would like to bring to my attention, or if you feel ill or need to go to the restroom, please send a note to the Court Security Officer, who will deliver it to me. I want you to be comfortable, so please do not hesitate to inform me of any problem.

DATED this 6th day of November, 2006.

Mark W. Bennett

MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

FINAL INSTRUCTION NO. 1 - INTRODUCTION

Members of the jury, the written Instructions I gave you at the beginning of the trial and the oral Instructions I gave you during the trial remain in effect. I now give you some additional Final Instructions.

The Final Instructions I am about to give you, as well as the Preliminary Instructions given to you at the beginning of the trial, are in writing and will be available to you in the jury room. *All* Instructions, whenever given and whether in writing or not, must be followed. This is true even though some of the Preliminary Instructions I gave you at the beginning of the trial are not repeated here.

I will now give you more detailed Instructions on the requirements for proof of the offenses charged in this case.

FINAL INSTRUCTION NO. 2 - COUNT 1: THE CCE OFFENSE

Count 1 of the Indictment charges that, between about 2001 and March 2006, defendant Ryan Keith Mathison knowingly, intentionally, and unlawfully engaged in a "continuing criminal enterprise" or "CCE." Ryan Keith Mathison denies that he committed this "CCE offense."

For you to find defendant Ryan Keith Mathison guilty of this "CCE offense," the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, Ryan Keith Mathison committed a felony violation of the federal controlled substances laws.

> The Indictment charges that this defendant committed one or more of the following felony violations: (a) distributing marijuana, cocaine, methamphetamine, and anabolic steroids; (b) possessing with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids; (c) conspiring to distribute and to possess, with intent to distribute, marijuana, cocaine, methamphetamine, and anabolic steroids; (d) using a communications facility to facilitate the commission of felony drug-trafficking offenses; or (e) using a structure for the purpose of distributing controlled substances. The prosecution is not required to prove that the defendant committed *all* of these offenses. Rather, the prosecution must prove that the defendant committed *one or more* of these offenses to satisfy this element. However, you must unanimously agree on which one or more of these

violations this defendant committed for this element to be proved.

Two, that offense was part of a continuing series of three or more related felony violations of the federal controlled substances laws.

"A continuing series of violations" means at least three violations of the federal controlled substance laws that were connected together as a series of related or on-going activities, as distinguished from isolated and disconnected acts. The violations are "related" if they are driven by a single impulse and operated by continuous force. You must unanimously agree on which violations constituted the series of three or more violations in order to find that this element has been proved.

The Indictment charges that the following series of felony offenses were committed in furtherance of the CCE:

(a) distributing marijuana, cocaine, methamphetamine, and anabolic steroids;

(b) possessing with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids;

(c) conspiring to distribute and to possess with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids;

(d) using a communications facility to facilitate the commission of felony drug-trafficking offenses; and

(e) using a structure for the purpose of distributing controlled substances.

Again, you must unanimously agree on which violations constitute the series of three or more felony violations in order to find that the CCE existed. To help you determine whether any such violation was actually committed, you must consider the elements of that violation. I have set out the elements of each offense

> alleged to be one of the series of related violations briefly in Preliminary Jury Instruction No. 4, beginning on page 9.

Three, Ryan Keith Mathison undertook the series of related violations in concert with five or more other persons.

> To act "in concert" means to act pursuant to a common design or plan. The prosecution is not required to prove that Ryan Keith Mathison and the five or more other persons acted together at any one time or in the same place. Thus, it is sufficient for the prosecution to prove that any particular offense was committed by any one or more of the participants in the CCE, as long as the prosecution also proves that the offense was part of the series of violations related by a common design or plan that was organized, supervised, or managed by Ryan Keith Mathison. Although you must unanimously agree that Ryan Keith Mathison was an organizer, supervisor, or manager of at least five *other* people, for a total of at least six people involved in the CCE, you are *not* required to agree unanimously on the identities of the five other persons.

Four, Ryan Keith Mathison acted as organizer, supervisor, or manager of those five or more other persons.

> Ryan Keith Mathison must have organized, supervised, or managed, either personally or through others, five or more persons with whom he was acting in concert while he committed the series of offenses. The prosecution must prove that Ryan Keith Mathison was an "organizer," or a "supervisor," or a "manager," not all three. An "organizer" is a person who puts together a number of people engaged in separate activities and

> arranges them in these activities in one operation or enterprise. A "supervisor" is a person who manages, directs, or oversees the activities of others. Thus, the prosecution must prove that Ryan Keith Mathison occupied some managerial position or performed a central role in the CCE. To do so, the prosecution must prove that Ryan Mathison exerted some type of influence over five or more other persons, as shown by those individuals' compliance with his directions, instructions, or terms for performing the activities of the CCE.
>
> However, it is not necessary that Ryan Keith Mathison have organized, supervised, or managed all five other participants at once or that the five other participants have acted together at any time or in the same place. It also is not necessary that Ryan Keith Mathison have been the only person who organized, supervised, or managed the five or more other persons, or that he have exercised the same amount of control over each of the five, or that he have had the highest rank of authority in the enterprise.

Five, Ryan Keith Mathison obtained substantial income, money, or other property from the series of violations.

> You may consider all money or property that passed through the participants' hands as a result of illegal drug dealings, not just profit, to determine whether the amount was "substantial." "Substantial" means of real worth and importance, of considerable value, or valuable.

If the prosecution has not proved beyond a reasonable doubt *all* of the essential elements of this offense, then you must find Ryan Keith Mathison not guilty of the "CCE offense" charged in **Count 1** of the Indictment. On the other hand, if the prosecution has proved beyond a reasonable doubt *all* of the essential

elements of this offense, then you must find Ryan Keith Mathison guilty of the "CCE offense" charged in **Count 1**.

In addition, if you find Ryan Keith Mathison guilty of this "CCE offense," then you must also determine beyond a reasonable doubt the quantity of any controlled substances actually involved in the CCE for which he can be held responsible, as determination of drug quantity is explained in Final Instruction No. 4.

FINAL INSTRUCTION NO. 3 - COUNT 2: THE DRUG-TRAFFICKING CONSPIRACY

Count 2 of the Indictment charges that, between about 2001 and March 2006, defendants Ryan Keith Mathison and Robert Mathison, Sr., knowingly and unlawfully conspired, with each other and with others whose identities are both known and unknown to the Grand Jury, to commit the following offenses: (1) distributing one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids; and (2) possessing with intent to distribute one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids. Each of the defendants charged with this "drug-trafficking conspiracy" offense denies that he committed this offense.

For you to find a particular defendant guilty of this "conspiracy" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements as to that defendant:

One, between about 2001 and March 2006, two or more persons reached an agreement or came to an understanding to commit one or both of the drug-trafficking offenses alleged.

> The prosecution must prove that the defendant in question reached an agreement or understanding with at least one other person. The other person or persons do not have to be defendants, or named in the Indictment, or otherwise charged with a crime. There is no requirement that any other conspirators be named as long as you find

beyond a reasonable doubt that there was at least one other co-conspirator besides the defendant in question.

The "agreement or understanding" need not be an express or formal agreement or be in writing or cover all the details of how it is to be carried out. Nor is it necessary that the members have directly stated between themselves the details or purpose of the scheme. In determining whether the alleged agreement existed, you may consider the actions and statements of all of the alleged participants, whether they are charged as defendants or not. The agreement may be inferred from all of the circumstances and the conduct of the alleged participants.

The "drug-trafficking conspiracy" charge alleges that the conspirators agreed to commit the following offenses, or "objectives": (1) distributing one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids; and (2) possessing with intent to distribute one thousand kilograms or more of marijuana, and unspecified quantities of cocaine, methamphetamine, and anabolic steroids. To assist you in determining whether there was an agreement to commit either or both of these offenses, you should consider the elements of these "objectives." The elements of these "objectives" are set out for you in Preliminary Jury Instruction No. 4, beginning on page 9, as the first two alleged violations for the CCE.

Also keep in mind that the prosecution must prove that there was an *agreement* to distribute controlled substances or to possess with intent to distribute controlled substances, or both, to establish the guilt of the defendant in question on the "drug-trafficking conspiracy" charge. The prosecution is *not* required to prove that there was an agreement to commit *both* of these offenses. The

> prosecution also is *not* required to prove that any offense charged as an "objective" of the "drug-trafficking conspiracy" *was actually committed*. In other words, the question is whether the defendant *agreed* to commit one or more of the drug-trafficking offenses charged as "objectives," not whether that defendant or someone else *actually* committed any such drug-trafficking offenses.
>
> If there was no agreement, there was no conspiracy. Similarly, if you find that there was an agreement, but you find that the defendant in question did not join in that agreement, or did not know the purpose of the agreement, then you cannot find that defendant guilty of the "conspiracy" charge.

Two, the defendant in question voluntarily and intentionally joined in the agreement or understanding, either at the time that it was first reached or at some later time while it was still in effect.

> You should understand that merely being present at the scene of an event, or merely acting in the same way as others, or merely associating with others does not prove that a person has joined in an agreement or understanding. A person who has no knowledge of a conspiracy, but who happens to act in a way that advances some purpose of one, does not thereby become a member. Similarly, mere knowledge of the existence of a conspiracy, or mere knowledge that a controlled substance is being distributed or possessed with intent to distribute, is not enough to prove that a particular defendant joined in the conspiracy; rather, the prosecution must establish some degree of knowing involvement and cooperation by that defendant.
>
> On the other hand, a person may join in an agreement or understanding, as required by this element, without knowing all the details of the agreement or

> understanding, and without knowing who all the other members are. Further, it is not necessary that a person agree to play any particular part in carrying out the agreement or understanding. A person may become a member of a conspiracy even if that person agrees to play only a minor part in the conspiracy, as long as that person has an understanding of the unlawful nature of the plan and voluntarily and intentionally joins in it.
>
> In deciding whether a particular defendant voluntarily and intentionally joined in the agreement, you must consider only evidence of that defendant's own actions and statements. You may not consider actions and pretrial statements of others, except to the extent that pretrial statements of others describe something that the defendant in question said or did.

Three, at the time that the defendant in question joined in the agreement or understanding, he knew the purpose of the agreement or understanding.

> The defendant in question must have known of the existence and purpose of the conspiracy. Without such knowledge, a particular defendant cannot be guilty of conspiracy, even if his acts furthered the conspiracy.

If the prosecution has not proved beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant not guilty of the "drug-trafficking conspiracy" offense charged in **Count 2** of the Indictment. On the other hand, if the prosecution has proved beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant guilty of the "drug-trafficking conspiracy" charged in **Count 2**.

In addition, if you find a particular defendant guilty of the "drug-trafficking conspiracy" charge in **Count 2**, then you must also determine beyond a reasonable doubt whether the conspiracy actually involved one or more of the controlled substances alleged *and* the quantity of any such controlled substances actually involved in the conspiracy for which that defendant can be held responsible, as determination of drug quantity is explained in Final Jury Instruction No. 4.

FINAL INSTRUCTION NO. 4 - QUANTITY OF CONTROLLED SUBSTANCES

The offenses charged in **Counts 1** and **2** of the Indictment allegedly involved various controlled substances: marijuana, cocaine, methamphetamine, and anabolic steroids. Where a specific quantity of a controlled substance is charged, the prosecution does not have to prove that the offense involved the amount or quantity of that controlled substance that is alleged in the Indictment. However, *if* you find a particular defendant guilty of an offense charged in **Count 1** or **Count 2**, *then* you must determine the following matters *beyond a reasonable doubt*: (1) whether that offense actually involved one or more of the controlled substances alleged; and (2) if the offense involved marijuana, cocaine, or methamphetamine, the *total quantity*, in grams, or in the case of marijuana, in kilograms, of that controlled substance involved in that offense for which the defendant in question can be held responsible. You must determine whether an offense charged in **Count 1** or **Count 2** involved anabolic steroids, but you need only determine that the offense involved a detectable amount of anabolic steroids, rather than a specific quantity of anabolic steroids. In making the required determinations, you may consider all of the evidence in the case that may aid in the determination of these issues.

Responsibility

A defendant guilty of a ***CCE*** is responsible for the quantities of controlled substances that were involved in the CCE through the defendant's own activity or agreement. He is also responsible for quantities of controlled substances that were

involved in the CCE through the activity or agreement of any other participant in the CCE, if you find that the defendant could have reasonably foreseen, at the time that he joined the CCE or while the CCE lasted, that those prohibited acts were a necessary or natural consequence of the CCE.

A defendant guilty of a ***conspiracy to distribute*** a controlled substance is responsible for the quantities of that controlled substance that he actually distributed or agreed to distribute. Such a defendant is also responsible for those quantities of the controlled substance that fellow conspirators distributed or agreed to distribute, if you find that the defendant could have reasonably foreseen, at the time that he joined the conspiracy or while the conspiracy lasted, that those prohibited acts were a necessary or natural consequence of the conspiracy. Similarly, a defendant guilty of ***conspiracy to possess with intent to distribute*** a controlled substance is responsible for the quantities of that controlled substance that he actually possessed with intent to distribute or agreed to possess with intent to distribute. Such a defendant is also responsible for those quantities of the controlled substance that fellow conspirators possessed with intent to distribute or agreed to possess with intent to distribute, if you find that the defendant could have reasonably foreseen, at the time that he joined the conspiracy or while the conspiracy lasted, that those prohibited acts were a necessary or natural consequence of the conspiracy.

Determination of quantity and verdict

If you find a particular defendant guilty of either **Count 1** or **Count 2**, you must determine beyond a reasonable doubt the *total quantity*, in *grams*, or in the case of marijuana, in *kilograms*, of each controlled substance involved in each such

offense for which you find the defendant can be held responsible, although if you find that the offense involved anabolic steroids, you need only determine whether the defendant can be held responsible for a detectable amount of anabolic steroids. You must then indicate that quantity in the Verdict Form. You may find more or less than the charged quantity of any controlled substance, but you must find that the quantity you indicate in the Verdict Form has been proved beyond a reasonable doubt as the quantity for which that defendant can be held responsible on that offense.

In making your determination of quantity as required, it may be helpful to remember that one kilogram is approximately equal to 2.2 pounds, that one pound is approximately equal to 453.6 grams, and that one ounce is approximately equal to 28.34 grams.

FINAL INSTRUCTION NO. 5 - COUNT 3: THE MONEY-LAUNDERING CONSPIRACY

Count 3 of the Indictment charges that, between about 2001 and May 2006, defendants Ryan Keith Mathison, Robert Mathison, Sr., and Ronald Mathison knowingly and unlawfully conspired, with each other and with others whose identities are known to the Grand Jury, to commit the following money-laundering offense: conducting and attempting to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of drug-trafficking activity. Each of the defendants charged with this "money-laundering conspiracy" offense denies that he committed this offense.

At the beginning of the trial and in Preliminary Jury Instruction No. 8, I told you that this "money-laundering conspiracy" allegedly involved an agreement to commit two money-laundering offenses. Since trial started, however, the alleged objective of conducting transactions to promote drug-trafficking is no longer at issue. Instead, the only alleged objective of the "money-laundering conspiracy" charged in **Count 3** that is now before you is conducting and attempting to conduct financial transactions to conceal proceeds of drug-trafficking. You should not guess about or concern yourselves with the reason for this change. You are not to consider this limitation of the alleged objective of the "money-laundering conspiracy" when deciding whether the prosecution has proved beyond a reasonable doubt the "money-laundering conspiracy" charge in **Count 3**.

For you to find a particular defendant guilty of this "money-laundering conspiracy" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, between about 2001 and May 2006, two or more persons reached an agreement or came to an understanding to conduct and attempt to conduct financial transactions to conceal proceeds of drug-trafficking;

> In Final Jury Instruction No. 3, in the explanation to element *one*, beginning on page 45, I explained the requirements to prove an illegal agreement for a conspiracy charge. That explanation applies here, as well.
>
> This "money-laundering conspiracy" charge alleges that the conspirators agreed to conduct and attempt to conduct financial transactions involving the proceeds of drug-trafficking activity knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of drug-trafficking activity. I have set out briefly the elements of this "objective" in Preliminary Jury Instruction No. 9, beginning on page 20.

Two, the defendant in question voluntarily and intentionally joined in the agreement or understanding, either at the time it was first reached or at some later time while it was still in effect.

> In Final Jury Instruction No. 3, in the explanation to element *two*, beginning on page 47, I explained the requirements to prove that a defendant joined in an illegal agreement or understanding. That explanation applies here, as well.

Three, at the time that the defendant in question joined in the agreement or understanding, he knew the essential purpose of the agreement or understanding.

> As I also explained in Final Jury Instruction No. 3, the defendant in question must have known of the existence and purpose of the conspiracy. Without such knowledge, a particular defendant cannot be guilty of conspiracy, even if his acts furthered the conspiracy.

If the prosecution has not proved beyond a reasonable doubt *all* of the essential elements of this offense as to a particular defendant, then you must find that defendant not guilty of the "money-laundering conspiracy" offense charged in **Count 3** of the Indictment. On the other hand, if the prosecution has proved beyond a reasonable doubt *all* of the essential elements of this offense against a particular defendant, then you must find that defendant guilty of the "money-laundering conspiracy" charged in **Count 3**.

FINAL INSTRUCTION NO. 6 - COUNTS 4 THROUGH 7: FILING A FALSE TAX RETURN

Counts 4 through **7** of the Indictment each charge that, for a specified tax year, defendant Ryan Keith Mathison willfully made and subscribed a false U.S. Individual Income Tax Return. **Count 4** charges that he filed such a false tax return on or about February 5, 2001, for calendar year 2000. **Count 5** charges that he filed such a false tax return on or about March 6, 2002, for calendar year 2001. **Count 6** charges that he filed such a false tax return on or about April 15, 2003, for calendar year 2002. **Count 7** charges that he filed such a false tax return on or about April 12, 2004, for calendar year 2003. Ryan Keith Mathison denies each of these charges.

For you to find defendant Ryan Keith Mathison guilty of a particular "false tax return" offense, the prosecution must prove beyond a reasonable doubt *all* of the following essential elements:

One, Ryan Keith Mathison made and signed a U.S. Individual Tax return for the year in question.

> If an individual's name is signed to a filed tax return, then you may find that the tax return was in fact signed by that person, unless and until that conclusion is outweighed by evidence in the case which leads you to a different or contrary conclusion.

Two, the return contained a written declaration that it was signed under penalties of perjury.

Three, the return was false as to a material matter.

> The tax return in question must be false in that it failed to disclose that Ryan Keith Mathison was engaged in the illegal trafficking in controlled substances from which he derived gross receipts, gross income, or sales. That is, the prosecution must prove that Ryan Keith Mathison received income in addition to that reported on his return, regardless of the amount, from illegal trafficking in controlled substances. However, the prosecution is not required to prove that the defendant owed any additional taxes for the years at issue. Whether the Government has or has not suffered a monetary loss as a result of the allegedly false return is not an element of this offense. Rather, the false matter is "material" if the matter was capable of influencing the Internal Revenue Service.

Four, Ryan Keith Mathison did not believe that the return was true and correct.

> If you find that there is proof beyond a reasonable doubt that the defendant signed his tax return, that is evidence from which you may, but are not required to, find or infer that he had knowledge of the contents of the return. In this case, the prosecution must prove that, at the time he signed the tax return, Ryan Keith Mathison then and there well knew and believed that he was required by law and regulation to disclose the operation of illegal drug-trafficking business activity and the gross receipts, gross income, or sales he derived therefrom, and that he had not done so.

Five, Ryan Keith Mathison acted willfully in filing the false return.

"Willfulness" was defined for you in Preliminary Jury Instruction No. 2, on page 4.

If the prosecution has not proved beyond a reasonable doubt *all* of the essential elements of a particular Count of "filing a false tax return," then you must find defendant Ryan Keith Mathison not guilty of that offense. On the other hand, if the prosecution has proved beyond a reasonable doubt *all* of the essential elements of a particular Count of "filing a false tax return," then you must find defendant Ryan Keith Mathison guilty of that Count.

FINAL INSTRUCTION NO. 7 - IMPEACHMENT

In Preliminary Instruction No. 17, I instructed you generally on the credibility of witnesses. I now give you this further instruction on how the credibility of a witness can be "impeached."

A witness may be discredited or impeached by contradictory evidence; by a showing that the witness testified falsely concerning a material matter; or by evidence that at some other time the witness has said or done something, or has failed to say or do something, that is inconsistent with the witness's present testimony. If earlier statements of a witness were admitted into evidence, they were not admitted to prove that the contents of those statements were true. Instead, you may consider those earlier statements only to determine whether you think they are consistent or inconsistent with the trial testimony of the witness, and therefore whether they affect the credibility of that witness.

You have heard evidence that some witnesses have each been convicted of a crime. You may use that evidence only to help you decide whether or not to believe these witnesses and how much weight to give their testimony.

You should treat the testimony of certain witnesses with greater caution and care than that of other witnesses:

1. You have heard evidence that Shad Derby, Jennifer Urben-Potratz, Thomas Rogers, David DeLeon, Dona Martinsen, Abdul Turner, and Joseph Peterson testified pursuant to plea agreements and hope to receive reductions in their sentences in return for their cooperation with the

government in this case. If the prosecutor handling such a witness's case believes the witness has provided "substantial assistance," the prosecutor can file a motion to reduce the witness's sentence. The judge has no power to reduce a sentence for such a witness for substantial assistance unless the U.S. Attorney files a motion requesting such a reduction. If the motion for reduction of sentence for substantial assistance is filed by the U.S. Attorney, then it is up to the judge to decide whether to reduce the sentence of that witness at all, and if so, how much to reduce it. You may give the testimony of such witnesses such weight as you think it deserves. Whether or not testimony of a witness may have been influenced by the witness's hope of receiving a reduction in sentence is for you to decide.

2. You have also heard evidence that Elroy Gabriel testified pursuant to state court plea agreement that required him to cooperate with the government in this case. You may give the testimony of this witness such weight as you think it deserves. Whether or not testimony of this witness may have been influenced by his hope of receiving a benefit is for you to decide.

3. You have also heard testimony from Shad Derby, Jennifer Urben-Potratz, Ryan Everett, Thomas Rogers, Jason Courtney, Lisa Hilden, David DeLeon, Dona Martinsen, Daniel Petersen, Joe Peterson, Abdul Turner, Shawna Severson, and William Sedelmeier that they participated in one or more of the crimes charged in this case. Their testimony was received in evidence and you may consider it. You may give the testimony of such a

witness such weight as you think it deserves. Whether or not the testimony of such a witness may be influenced by his or her desire to please the government or to strike a good bargain with the government about his or her own situation is for you to determine.

4. You have also heard evidence that Jennifer Urben-Potratz, Thomas Rogers, David Deleon, Shawna Severson, William Sedelmeier, Kandas Veneziani, and Joe Peterson used or were addicted to addictive drugs during the period of time about which they testified. You should consider whether the testimony of such a witness might have been affected by his or her drug use at the time of the events about which the witness testified.

* * *

If you believe that a witness has been discredited or impeached, it is your exclusive right to give that witness's testimony whatever weight you think it deserves.

FINAL INSTRUCTION NO. 8 - PRESUMPTION OF INNOCENCE AND BURDEN OF PROOF

Each defendant is presumed innocent of each of the charges against him and, therefore, not guilty of those offenses. This presumption of innocence requires you to put aside all suspicion that might arise from the arrest or charge of the defendants or the fact that they are here in court. The presumption of innocence remains with each defendant throughout the trial. That presumption alone is sufficient to find a defendant not guilty. The presumption of innocence may be overcome as to a particular charge against a particular defendant only if the prosecution proves, beyond a reasonable doubt, all of the elements of that offense against that defendant.

The burden is always upon the prosecution to prove guilt beyond a reasonable doubt. This burden never shifts to a defendant to prove his innocence. Therefore, the law never imposes upon a defendant in a criminal case the burden or duty of calling any witnesses or producing any evidence. A defendant is not even obligated to produce any evidence by cross-examining the witnesses who are called to testify by the prosecution. Similarly, if a defendant did not testify, you must not consider that fact in any way, or even discuss it, in arriving at your verdict concerning that defendant.

Unless the prosecution proves beyond a reasonable doubt that a defendant has committed each and every element of an offense charged against him, you must find him not guilty of that offense.

FINAL INSTRUCTION NO. 9 - REASONABLE DOUBT

I have previously instructed you that the prosecution must prove a charged offense "beyond a reasonable doubt" for you to find the defendant in question guilty of that charged offense. A reasonable doubt may arise from the evidence produced by either the prosecution or a defendant, keeping in mind that the defendants never have the burden or duty of calling any witnesses or producing any evidence. It may also arise from the prosecution's lack of evidence. A reasonable doubt is a doubt based upon reason and common sense. A reasonable doubt is the kind of doubt that would make a reasonable person hesitate to act. Proof beyond a reasonable doubt, therefore, must be proof of such a convincing character that a reasonable person would not hesitate to rely and act upon it in the more serious and important transactions of life. However, proof beyond a reasonable doubt does not mean proof beyond all possible doubt.

FINAL INSTRUCTION NO. 10 - DUTY TO DELIBERATE

A verdict must represent the considered judgment of each juror. *Your verdict on each charge against each defendant must be unanimous*. It is your duty to consult with one another and to deliberate with a view to reaching agreement if you can do so without violence to your individual judgment. Of course, you must not surrender your honest convictions as to the weight or effect of the evidence solely because of the opinions of other jurors or for the mere purpose of returning a verdict. Each of you must decide the case for yourself; but you should do so only after consideration of the evidence with your fellow jurors.

In the course of your deliberations you should not hesitate to re-examine your own views, and to change your opinion if you are convinced that it is wrong. To bring twelve minds to an unanimous result, you must examine the questions submitted to you openly and frankly, with proper regard for the opinions of others and with a willingness to re-examine your own views.

Remember that if, in your individual judgment, the evidence fails to establish a particular defendant's guilt beyond a reasonable doubt on an offense charged against him, then that defendant should have your vote for a not guilty verdict on that offense. If all of you reach the same conclusion, then the verdict of the jury must be not guilty for that defendant on that offense. Of course, the opposite also applies. If, in your individual judgment, the evidence establishes a particular defendant's guilt beyond a reasonable doubt on an offense, then your vote should be for a verdict of guilty against that defendant on that charge, and if all of you

reach that conclusion, then the verdict of the jury must be guilty for that defendant on that offense. As I instructed you earlier, the burden is upon the prosecution to prove beyond a reasonable doubt every essential element of an offense charged against a particular defendant, or you cannot find that defendant guilty of that offense.

Remember, also, that the question before you can never be whether the government wins or loses the case. The government, as well as society, always wins, regardless of whether your verdict is not guilty or guilty, when justice is done.

Finally, remember that you are not partisans; you are judges—judges of the facts. Your sole interest is to seek the truth from the evidence. You are the judges of the credibility of the witnesses and the weight of the evidence.

You may conduct your deliberations as you choose. However, I suggest that you carefully consider all of the evidence bearing upon the questions before you. You may take all the time that you feel is necessary.

There is no reason to think that another trial would be tried in a better way or that a more conscientious, impartial, or competent jury would be selected to hear it. Any future jury must be selected in the same manner and from the same source as you. If you should fail to agree on a verdict, the case is left open and must be disposed of at some later time.

FINAL INSTRUCTION NO. 11 - DUTY DURING DELIBERATIONS

There are certain rules you must follow while conducting your deliberations and returning your verdict:

First, when you go to the jury room, you must select one of your members as your foreperson. That person will preside over your discussions and speak for you here in court.

Second, if a defendant is guilty, the sentence to be imposed is my responsibility. You may not consider punishment of any defendant in any way in deciding whether the prosecution has proved its case against that defendant beyond a reasonable doubt.

Third, if you need to communicate with me during your deliberations, you may send a note to me through the Court Security Officer, signed by one or more jurors. I will respond as soon as possible, either in writing or orally in open court. *Remember that you should not tell anyone—including me—how your votes stand numerically*.

Fourth, your verdict must be based solely on the evidence and on the law in these instructions. Therefore, you must return a separate, unanimous verdict on each charge against each defendant. Nothing I have said or done is intended to suggest what your verdict should be—that is entirely for you to decide.

Fifth, in your consideration of whether each defendant is not guilty or guilty of an offense charged, you must not consider that defendant's race, color, religious beliefs, national origin, or sex. You are not to return a verdict for or against any

defendant on any charge unless you would return the same verdict for that charge without regard to that defendant's race, color, religious beliefs, national origin, or sex. To emphasize the importance of this consideration, the verdict form contains a certification statement. Each of you should carefully read the statement, then sign your name in the appropriate place in the signature block, if the statement accurately reflects the manner in which each of you reached your decision.

Finally, I am giving you the verdict form. A verdict form is simply the written notice of the decision that you reach in this case. You will take the verdict form to the jury room. When you have reached a unanimous verdict, your foreperson must complete one copy of the verdict form and all of you must sign that copy to record your individual agreement with the verdict and to show that it is unanimous. The foreperson must bring the signed verdict form to the courtroom when it is time to announce your verdict. When you have reached a verdict, the foreperson will advise the Court Security Officer that you are ready to return to the courtroom.

DATED this 13th day of November, 2006.

Mark W. Bennett

MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. RYAN KEITH MATHISON, ROBERT MATHISON, SR., and RONALD MATHISON, Defendants.	No. CR 06-4030-MWB **VERDICT FORM**

I. RYAN KEITH MATHISON

As to defendant Ryan Keith Mathison, we, the Jury, unanimously find as follows:

COUNT 1: CCE		**VERDICT**
Step 1: Verdict	On the "CCE" charge in **Count 1**, as explained in Final Jury Instruction No. 2, please mark your verdict. (*If you found the defendant "not guilty," do not consider the questions in **Steps 2** and **3**. Instead, go on to consider your verdict on **Count 2**. However, if you found the defendant "guilty" of **Count 1**, please answer the questions in **Steps 2**, **3**, and **4** of this section of the Verdict Form.*)	____ Not Guilty ____ Guilty

Step 2: Series of violations	*If you found the defendant "guilty" of the "CCE" charge in **Count 1**,* please indicate which of the alleged violations you unanimously agree constituted the series of three or more violations that were part of the CCE.	
	_____ (a) distributing marijuana, cocaine, methamphetamine, and anabolic steroids	
	_____ (b) possessing with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids	
	_____ (c) conspiring to distribute and to possess with intent to distribute marijuana, cocaine, methamphetamine, and anabolic steroids	
	_____ (d) using a communications facility to facilitate the commission of felony drug-trafficking offenses	
	_____ (e) using a structure for the purpose of distributing controlled substances	
Step 3: Participants	*If you found the defendant "guilty" of the "CCE" charge in **Count 1**,* you must have unanimously found that the defendant acted "in concert" with five or more other persons to commit the series of violations in **Step 2**, and that the defendant acted as the "organizer," "supervisor," or "manager" of those five or more other persons. You do not have to unanimously agree on the identity of the five or more other persons. Therefore, please indicate each person that *any juror* finds was a participant in the CCE and was organized, supervised, or managed by the defendant.	
	_____ Shad Derby	_____ Ryan Everett
	_____ Constantine Klimiades	_____ Lisa Hilden
	_____ Robert Mathison, Sr.	_____ David DeLeon
	_____ Constance Mathison	_____ Dona Martinsen
	_____ Thomas Rogers, Jr.	_____ Daniel Petersen
	_____ Jason Courtney	_____ Shawna Severson
	_____ Jennifer Urben-Potratz	_____ William Sedelmeier

Step 4: Quantity of controlled substances	*If you found the defendant "guilty" of the "CCE" charge in **Count 1**,* please indicate the controlled substances involved in the offense and the quantities of each controlled substance involved for which the defendant can be held responsible. (*Quantity of controlled substances is explained in Final Jury Instruction No. 4.*)	
	_____ marijuana	_____ kilograms
	_____ cocaine	_____ grams
	_____ methamphetamine	_____ grams
	_____ anabolic steroids	a detectable amount

COUNT 2: DRUG-TRAFFICKING CONSPIRACY		**VERDICT**
Step 1: Verdict	On the "drug-trafficking conspiracy" offense charged in **Count 2**, as explained in Final Jury Instruction No. 3, please mark your verdict. (*If you found the defendant "not guilty," do not consider the question in **Step 2**. Instead, go on to consider your verdict on **Count 3**. However, if you found the defendant "guilty" of **Count 2**, please answer the question in **Step 2** of this section of the Verdict Form.*)	____ Not Guilty ____ Guilty

Step 2: "Objectives" and quantity of controlled substances	*If you found the defendant "guilty" of the "drug-trafficking conspiracy" charge in **Count 1**,* please indicate the "objective" or "objectives" of the conspiracy and the quantities of each controlled substance involved for which the defendant can be held responsible. (*Quantity of controlled substances is explained in Final Jury Instruction No. 4.*)	
	_____ distributing marijuana	_____ kilograms
	_____ possessing with intent to distribute marijuana	_____ kilograms
	_____ distributing cocaine	_____ grams
	_____ possessing with intent to distribute cocaine	_____ grams
	_____ distributing methamphetamine	_____ grams
	_____ possessing with intent to distribute methamphetamine	_____ grams
	_____ distributing anabolic steroids	a detectable amount
	_____ possessing with intent to distribute anabolic steroids	a detectable amount

COUNT 3: MONEY-LAUNDERING CONSPIRACY	VERDICT
On the "money-laundering conspiracy" offense charged in **Count 3**, as explained in Final Jury Instruction No. 5, please mark your verdict.	____ Not Guilty ____ Guilty
COUNT 4: FILING A FALSE TAX RETURN	**VERDICT**
On the "false tax return" charge in **Count 4**, which alleges that the defendant filed a false tax return on or about February 5, 2001, for calendar year 2000, as explained in Final Jury Instruction No. 6, please mark your verdict.	____ Not Guilty ____ Guilty
COUNT 5: FILING A FALSE TAX RETURN	**VERDICT**
On the "false tax return" charge in **Count 5**, which alleges that the defendant filed such a false tax return on or about March 6, 2002, for calendar year 2001, as explained in Final Jury Instruction No. 6, please mark your verdict.	____ Not Guilty ____ Guilty
COUNT 6: FILING A FALSE TAX RETURN	**VERDICT**
On the "false tax return" charge in **Count 6**, which alleges that the defendant filed such a false tax return on or about April 15, 2003, for calendar year 2002, as explained in Final Jury Instruction No. 6, please mark your verdict.	____ Not Guilty ____ Guilty
COUNT 7: FILING A FALSE TAX RETURN	**VERDICT**
On the "false tax return" charge in **Count 7**, which alleges that the defendant filed such a false tax return on or about April 12, 2004, for calendar year 2003, as explained in Final Jury Instruction No. 6, please mark your verdict.	____ Not Guilty ____ Guilty
CERTIFICATION	
By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant was not involved in reaching his or her individual decision, and that the individual juror would have returned the same verdict for or against the defendant on the offenses charged regardless of the race, color, religious beliefs, national origin, or sex of the defendant.	

_____
Date

_____ _____
Foreperson Juror

_____	_____
Juror	Juror
_____	_____
Juror	Juror
_____	_____
Juror	Juror
_____	_____
Juror	Juror
_____	_____
Juror	Juror

II. ROBERT MATHISON, SR.

As to defendant Robert Mathison, Sr., we, the Jury, unanimously find as follows:

<table>
<tr><th colspan="3">COUNT 2: DRUG-TRAFFICKING CONSPIRACY</th><th>VERDICT</th></tr>
<tr><td>Step 1:
Verdict</td><td colspan="2">On the “drug-trafficking conspiracy” offense charged in Count 2, as explained in Final Jury Instruction No. 3, please mark your verdict. (If you found the defendant “not guilty,” do not consider the question in Step 2. Instead, go on to consider your verdict on Count 3. However, if you found the defendant “guilty” of Count 2, please answer the question in Step 2 of this section of the Verdict Form.)</td><td>____ Not Guilty

____ Guilty</td></tr>
<tr><td>Step 2:
“Objectives” and quantity of controlled substances</td><td colspan="3">If you found the defendant “guilty” of the “drug-trafficking conspiracy” charge in Count 1, please indicate the “objective” or “objectives” of the conspiracy and the quantities of each controlled substance involved for which the defendant can be held responsible. (Quantity of controlled substances is explained in Final Jury Instruction No. 4.)</td></tr>
<tr><td rowspan="8"></td><td>_____ distributing marijuana</td><td colspan="2">_____ kilograms</td></tr>
<tr><td>_____ possessing with intent to distribute marijuana</td><td colspan="2">_____ kilograms</td></tr>
<tr><td>_____ distributing cocaine</td><td colspan="2">_____ grams</td></tr>
<tr><td>_____ possessing with intent to distribute cocaine</td><td colspan="2">_____ grams</td></tr>
<tr><td>_____ distributing methamphetamine</td><td colspan="2">_____ grams</td></tr>
<tr><td>_____ possessing with intent to distribute methamphetamine</td><td colspan="2">_____ grams</td></tr>
<tr><td>_____ distributing anabolic steroids</td><td colspan="2">a detectable amount</td></tr>
<tr><td>_____ possessing with intent to distribute anabolic steroids</td><td colspan="2">a detectable amount</td></tr>
</table>

COUNT 3: MONEY-LAUNDERING CONSPIRACY	VERDICT
On the "money-laundering conspiracy" offense charged in **Count 3**, as explained in Final Jury Instruction No. 5, please mark your verdict.	____ Not Guilty ____ Guilty
CERTIFICATION	
By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant was not involved in reaching his or her individual decision, and that the individual juror would have returned the same verdict for or against the defendant on the offenses charged regardless of the race, color, religious beliefs, national origin, or sex of the defendant.	

_____
Date

_____ _____
Foreperson Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

III. RONALD MATHISON

As to defendant Ronald Mathison, we, the Jury, unanimously find as follows:

COUNT 3: MONEY-LAUNDERING CONSPIRACY	**VERDICT**
On the "money-laundering conspiracy" offense charged in **Count 3**, as explained in Final Jury Instruction No. 5, please mark your verdict.	____ Not Guilty ____ Guilty
CERTIFICATION	
By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant was not involved in reaching his or her individual decision, and that the individual juror would have returned the same verdict for or against the defendant on the offenses charged regardless of the race, color, religious beliefs, national origin, or sex of the defendant.	

_____
Date

_____ _____
Foreperson Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

_____ _____
Juror Juror

_____	_____
Juror	Juror
_____	_____
Juror	Juror